

**MILWAUKEE COMMON COUNCIL  
PROCEDURE AND RULES**

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**PREAMBLE**

We the members of the Milwaukee Common Council, pursuant to Section 4-05 of the City Charter, and

To achieve the order and decorum that expedite the transaction of business and

To maintain the free and open discussion which guarantee democracy and thereby achieve continuing good government for our city

Do hereby submit ourselves to be governed in our deliberations by the following rules of procedure.

## **ARTICLE I MEETINGS**

**Section 1. Regular Meetings.** The regular meetings of the common council shall be held every 3rd Tuesday at 9 a.m. commencing with the 3rd Tuesday in April following the election of each new body of council members. Whenever the regular meeting day of the common council falls on a legal holiday or a day that is a holiday by usage, the regular meeting of the council shall be held on the day preceding the holiday. No regular meetings shall be held during the month of August.

**Section 2. Special Meetings.** When a special meeting is directed to be called, notice shall be served on every member of the council, either personally or by leaving a written or printed notice at the member's usual place of abode, at least 24 hours before the time of the meeting, except that in an emergency, as determined by the mayor, a 6 hour notice shall suffice. The notice shall state the business to be transacted at the meeting and no other business than that so specified shall be transacted. However, under a general call, so stated in the notice, any business may be transacted.

**Section 3. Notification Requirements for Meetings.** Before convening a meeting of the common council or any of its committees, the president of the common council, a committee chair or other presiding officer, or his or her designee shall inform the city clerk of the time, date, place and subject matter of the meeting, including the subject matter intended for consideration at any contemplated closed session. The city clerk shall give public notice of the meeting in accordance with the requirements of the Wisconsin open meetings law. This notice shall include posting on a suitable bulletin board in the first floor lobby of city hall and on the 3rd floor of city hall where meetings of the common council and common council committees are generally convened. The foregoing procedure shall be applicable to gatherings of the common council and committees where 1/2 of the members are present to discuss business affecting the city.

**Section 4. Order of Business.** The president of the common council shall, when present, take the chair at the hour fixed for the meeting and call the members of the common council to order. Before proceeding to business, the roll of the members shall be called, and the names of those present, excused and absent entered on the journal. If a quorum is present, the order of business shall be:

1. Pledge of allegiance.
2. Invocation.
3. Silent meditation.
4. Corrections of the previous meeting or of the journal.
5. Presentations.
6. Unfinished business.
7. Reports of standing committees.
8. Communications to be ordered on file.
9. Resolutions for immediate adoption.
10. Presentation of ordinances.
11. Presentation of resolutions and motions.
12. Presentation of communications.
13. Announcements.

**Section 5. Adjournment.** A motion to adjourn shall always be in order, except when the council is voting, but a member may not move an adjournment when another member has the floor.

## ARTICLE II OFFICERS

**Section 1. President.** Whenever the common council president is unable to attend to the duties of the office, because of absence or otherwise, his or her place shall be taken by the chair of the committee on finance and personnel who shall serve as acting president of the common council and discharge all the duties of the office until the president returns. These duties shall include the signing of reports, ordinances and other matters taken up at council meetings. If the chair of the committee on finance and personnel is also absent, successors to the office shall be the remaining members of the common council in the same order as provided in the city charter for succession to the office of mayor.

**Section 2. Clerk. 1.** The city clerk, in addition to the duties prescribed by the city charter, shall furnish the chairs of committees, the comptroller and other city officers with the resolutions and other matters that may be referred to them, and perform all such other duties as may be required by the council.

**2.** The clerk shall in all proper cases correct any mere clerical error in any council file, such as errors in spelling, or the use of one word for another, as "affect" for "effect", plural for singular, and the like, and also all mistakes in numbering the sections or references thereto, whether such errors occur in the original or are caused by amendments. The clerk at any time before the passage of any ordinance may insert an ordaining clause when such clause has evidently been omitted through mistake or inadvertence. But no correction, other than such as is authorized by this rule, shall be made at any time by the clerk, unless upon order of the council. On questions of spelling, Webster's Unabridged Dictionary shall be taken as standard.

**Section 3. Sergeant-at-arms. 1.** Upon direction of the council president, the city clerk shall appoint a sergeant-at-arms, whose name shall be filed with the common council. Under the direction of the presiding officer, the sergeant-at-arms shall preserve order and decorum at council and committee meetings. By order of the council or a committee, the sergeant-at-arms shall compel the attendance of absent members. The sergeant-at-arms shall also notify city officers and department personnel when they are due at meetings, keep order and prevent undue noise in the meeting rooms and the adjacent halls, and be available to council members attending the meeting.

**2.** The sergeant-at-arms shall exclude all persons from within the bar of the council chamber during its sessions, except members, the mayor, heads of departments, and ex-members of the council. Reporters and photographers for press, radio and television may be permitted within the bar provided they observe general rules of decorum.

**Section 4. Election of Common Council President and City Clerk.** The election of the common council president shall precede the election of the city clerk.

**1. Common Council President. a.** The city clerk shall serve as temporary chair for purposes of presiding over the election of the common council president.

**b.** To determine the order of roll call of council members for election of the common council president, the clerk will prepare a number of envelopes equal to the number of council members-elect.

**c.** Each envelope, which will be sealed, will contain a different and distinct number.

**d.** The clerk will call each council member individually, in numerical order by district, to approach the front of the council chamber to select a sealed envelope.

**e.** Upon selecting an envelope, the council member will return the envelope, still sealed, to the clerk so that the clerk may open the envelope and note the number chosen by the council member.

- f. After all council members have selected envelopes and the clerk has noted their selection of numbers, the clerk shall prepare the order of the roll call, in numerical order of the numbers chosen.
  - g. The clerk calls for nominations by saying: "Nominations are now in order for the office of common council president."
  - h. Nominations are necessary to validate the vote for any individual. Seconding nominations are not necessary.
  - i. After all candidates have been nominated, the clerk will ask 3 times whether there are further nominations; if not, the clerk will declare nominations closed.
  - j. The clerk will call the roll according to the order established pursuant to pars. b to f and each council member will orally state the name of the candidate of his or her choice.
  - k. After the roll call vote, the clerk will announce the totals for each candidate.
  - L. The candidate receiving a majority vote of the council members-elect is elected.
  - m. Should no one receive the vote of the majority of the council members-elect, another ballot shall be taken repeating the procedure established pursuant to pars. g to L.
- 2. City Clerk.**
- a. The common council president shall preside over the election of the city clerk.
  - b. The president calls for nominations by saying: "Nominations are now in order for the office of city clerk."
  - c. The remaining procedures for the election of the city clerk shall follow those listed in sub. 1-h to m.

### **ARTICLE III DECORUM AND PROCEDURE**

**Section 1. Absences.** Any member who fails to appear and answer to his or her name when the roll is called at any regular or special meeting, including committee meetings, shall be recorded as absent. If a member cannot attend due to sickness or for a duly authorized reason, the member shall so notify the city clerk who shall notify the president or committee chair before the meeting is called. No member present at any meeting of the common council shall withdraw from the meeting without permission from the chair.

**Section 2. Call of the House.** Any 6 members may make a call of the house and require absent members to be sent for, but a call of the house cannot be made after the voting has commenced. On a call of the house being moved, the president shall say: "Since it requires 6 members to order a call of the house, those in favor of the call will rise", and if 6 or more shall rise the call shall be ordered and the sergeant-at-arms shall close the doors and no member shall be permitted to leave the room. The clerk shall immediately call the roll and shall furnish a list of the absentees without leave to the sergeant-at-arms who shall immediately proceed to find and bring in such absentees. While the council is under a call, no business shall be transacted and no other motion shall be in order except a motion to adjourn and a motion to suspend further proceedings under the call. The latter motion shall not be adopted unless a majority of all the members present vote in favor. Upon the sergeant-at-arms reporting that all who were absent without leave are present, the call shall be at an end, and the business or motion pending at the time the call was made shall be proceeded with.

**Section 3. Decorum.** Any member who fails to take his or her seat after having been requested by the president to do so, or is guilty of using any profane or unparliamentary language, or is guilty of any unprofessional conduct, shall be seated by the sergeant-at-arms or shall be censured by a standing vote of a majority of the members present. No member of the council shall interfere with the orderly progress of the meeting by leaving their seat or engaging in unnecessary conversation.

**Section 4. Tape Recordings.** The proceedings of the common council meetings shall be tape recorded. Original recordings shall be preserved in accordance with the city clerk's record retention schedule. While the tape is in the custody of the city clerk or the city record center, replaying of the tape shall be allowed only within the parameters of the procedure set up by the city clerk in meeting his or her responsibility in guaranteeing the safeguard and integrity of the tapes. Charges and conditions relating to replay shall be the same as for monitoring committee meeting tapes as provided in Article V, Section 4-2.

**Section 5. Limitations on Speech.** No member shall be recognized by the president unless the member is at his or her own place. No member shall speak more than twice on any question until all members who desire to speak have been heard, and then not without first obtaining recognition from the president. In speaking, members shall confine themselves to the question under consideration and shall avoid all personalities. The president of the common council shall not address matters of substance, but shall confine remarks to procedural matters unless he or she relinquishes the chair and takes a seat among the other common council members.

**Section 6. Roll Calls.** The ayes and noes shall be ordered upon any question at the request of any member, and the clerk shall call the roll of members in numerical order by district, with the exception of the common council president who shall vote last, and shall enter in the minutes the names of members voting in the affirmative and those voting in the negative. No member shall explain his or her vote during the call of the roll.



## **ARTICLE IV COUNCIL FILES**

**Section 1. Form.** All council files shall be introduced in proper form, as established by the city clerk.

**Section 2. New Files. 1.** All new matters presented to the city clerk for introduction to the common council shall be printed in the journal of proceedings with referral to an appropriate committee, when applicable, so noted. Such printing shall constitute the first reading of such matters.

**2.** The city clerk shall not accept for introduction to the council any matter not properly identified as to source or authorship. No member of the common council may introduce any matter which specifically applies to a purely internal matter in the district of another member without the approval of the affected member, and the city clerk shall refuse to accept any such files without such approval.

**3.** If matters received by the city clerk for introduction at the council's next meeting need supplemental information before a proper or adequate hearing can be held, the city clerk shall assign a file number to such matters and refer them, prior to introduction, to the appropriate department for report or recommendation as is necessary in the interests of facilitating a public hearing.

**Section 3. Germaneness.** Whenever a majority of the members present question whether a matter before the common council is germane to the proper activities of the local governmental unit, they may by vote direct that the matter be referred to the steering and rules committee for a determination as to its germaneness. Upon a determination that the matter is germane, the steering and rules committee shall forward the file to the appropriate standing committee for a hearing. Furthermore, any standing committee may, by a majority vote, refer any matter before it to the steering and rules committee for a determination as to its germaneness in the same manner.

**Section 4. Adoption of Resolution on Day of Introduction.** Whenever a resolution is requested to be adopted on the same day it is introduced, the city clerk shall furnish each council member with a copy of the resolution and shall, upon request, read the resolution in its entirety. Resolutions to be adopted under this rule shall require a 2/3 vote of the members of the council at the time of the vote.

**Section 5. Committee Reports.** A roll call vote shall be taken on the entire report of each committee. Action on the report of a committee shall be deferred until the next regular meeting by request of 1/5 of the members present, as provided by section 4-21 of the city charter. A 2nd or succeeding request for deferment shall require a majority of the members present.

**Section 6. Substitutes. 1.** A file having been introduced by title shall be deemed to have been substituted when the completed measure is presented to the council for action. A file being reported to the council in substitute form will not require acceptance of the substitute by the council prior to a vote. A substitute, as recommended in the committee report, shall be deemed to have been accepted unless a request is made for separate action.

**2.** After introduction of a file, other members of the common council may be added as sponsors of the file, with permission of the original sponsors. The addition of sponsors shall not constitute a substitute to the file. The city clerk shall note additional sponsors on the official copies of the appropriate versions of the file and on all council records.

**Section 7. Amendments.** Any amendment to be introduced on the floor of the council shall be presented in writing to the clerk, and a copy of the amendment shall be given to each council member present at the meeting.

**Section 8. Budget Amendments.** 1. When the proposed city budget is reported to the council by the finance and personnel committee, the council shall first consider any amendments recommended for adoption by the committee.

2. The common council shall next consider any amendments which were submitted for consideration to the finance and personnel committee but which were not recommended for adoption by the committee, provided they were submitted to the city clerk at least 24 hours prior to the council meeting, in order by budget item affected.

3. The common council may next, by a non-debatable two-thirds vote of the members of the council in office at the time of the vote, accept for consideration any budget amendment which was not submitted under either sub. 1 or 2. The two-thirds vote requirement shall not apply to any amendment related to a budget item on which the finance and personnel committee has met and recommended action within 24 hours prior to the council meeting.

4. All budget amendments shall specify the changes in amounts and positions or units for each line of the budget to be amended as well as the net budget, tax levy and tax rate effect.

5. This section shall not limit amendments to budget amendments, provided they are germane. All amendments to budget amendments shall be prepared in the form of a substitute to the original. Such substitute amendments shall not require a separate motion to accept the amendment for consideration in lieu of the original. If a motion to adopt such a substitute amendment fails, the question before the council shall be the adoption of the original amendment.

6. This section does not apply to common council consideration of substitute amendments for budget items vetoed by the mayor and sustained by the council.

**Section 9. Seconds.** A motion shall not need a second.

## **ARTICLE V COMMITTEES**

**Section 1. Standing Committees.** The following standing committees, including their chair and vice-chair, shall be appointed by the president of the common council. In the absence of the chair, the vice-chair shall carry out the duties of the chair. In the absence of both the chair and vice-chair, the duties of the chair shall be carried out by one of the remaining members, in the order by which they were appointed to the committee by the president. All committees shall consist of 5 members. The standing committees shall be given the following assignments:

- 1.** Community and economic development:
  - a. Business improvement districts.
  - b. City public relations.
  - c. Community development.
  - d. Economic development.
  - e. Federal enterprise zones.
  - f. Industrial land bank.
  - g. Industrial revenue bonds.
  - h. Job development.
  - i. Milwaukee Economic Development Corporation.
  - j. Minority and women business enterprises.
  - k. Recreation and cultural arts.
  - L. State development zones.
  - m. Tourism.
- 2.** Finance and personnel:
  - a. Annual budget.
  - b. Appropriations.
  - c. Audits.
  - d. Bonds and notes, except industrial revenue bonds.
  - e. Employee and labor relations.
  - f. Financial contracts for services rendered.
  - g. Information and technology management.
  - h. Insurance.
  - i. Long range financial planning.
  - j. New positions and reclassifications.
  - k. Official advertising and printing.
  - L. Pensions and other benefits.
- 3.** Judiciary and legislation:
  - a. Annexation, detachments and boundaries.
  - b. Claims and court suits.
  - c. Community relations, minority and human needs.
  - d. Deferred assessments.
  - e. Elections and referendums.
  - f. Intergovernmental relations.
  - g. Native American affairs.
  - h. Refunds or cancellation of taxes or billings.
  - i. State, county or federal legislation.
  - j. Taxation and new revenue sources.

4. Public improvements:
  - a. Air lease rights, except those which involve a skywalk in a business improvement district, tax incremental financing district or redevelopment area.
  - b. Assessments for public improvements.
  - c. City-owned property and land, except land bank.
  - d. Easements.
  - e. Harbors, rivers, creeks.
  - f. Highways and streets.
  - g. Leases and rental of public buildings and land, except for parking.
  - h. Playgrounds, totlots, parks, green spots.
  - i. Public building operation, construction and maintenance.
  - j. Sewer, water and flood control projects.
  - k. Special privileges and permits relating to city property.
  - L. Street and alley grades and sidewalk widths.
  - m. Street and alley openings, vacations, construction, maintenance and lighting.
  - n. Street names and house numbers.
5. Public safety:
  - a. Emergency government.
  - b. Emergency medical services.
  - c. Fire service.
  - d. Parking, on and off-street, including parking structures.
  - e. Police service.
  - f. Pollution abatement.
  - g. Public health and nuisances.
  - h. Resource recovery and recycling.
  - i. Traffic control.
  - j. Waste collection and disposal.
6. Utilities and licenses:
  - a. Communications policies.
  - b. Electric, gas and telephone rates and service.
  - c. Licenses and permits.
  - d. Motor bus lines, railroads and other transportation.
  - e. Water works.
7. Zoning, neighborhoods and development:
  - a. Air lease rights which involve a skywalk in a business improvement district, tax incremental financing district or redevelopment area.
  - b. Building and housing code compliance.
  - c. City planning, master plan.
  - d. Federal, state and local housing projects.
  - e. Historic preservation.
  - f. Homestead program.
  - g. Offers to purchase tax deed and other city property.
  - h. Offers for property needed for city improvements.
  - i. Plats and maps.
  - j. Redevelopment project areas.
  - k. Relocation problems.
  - L. Tax incremental financing districts
  - m. Urban, community and neighborhood renewal.
  - n. Zoning.

**Section 2. Steering and Rules.** A steering and rules committee comprised of the common council president, who shall be the chair, and the standing committee chairs, with their vice-chairs serving as alternates, shall have jurisdiction over:

1. Extraordinary matters not covered by the responsibility of any standing committee.
2. Public relations.
3. Rules and procedures of the council.
4. Strategic planning.
5. Charter schools.

**Section 3. Committee Rules.** Insofar as possible, the council procedure and rules shall apply to the standing committees of the council, except when in conflict with this article.

**Section 4. Committee Meetings.** 1. The city clerk, upon the request of the chair or of a majority of the members of any standing or special committee of the council shall call the committee at the time and place designated by the chair or by the majority.

2. The minutes of all special and standing committees shall be tape recorded. The original recordings shall be preserved in accordance with the city clerk's record retention schedule. During the period when the tape recordings are in the custody of the city clerk or the city records center, replaying of the tapes shall be allowed within the parameters of the procedure set up by the city clerk in meeting his or her responsibility in guaranteeing the safety and integrity of the tapes. The city clerk shall establish a charge for listening or re-recording and purchase of an audio tape based upon actual costs consistent with allowable costs provided for in the State public records law.

**Section 5. Committee Reports.** When a standing committee has met and considered a matter referred to it, it shall report on the matter to the council. Each committee shall present a written report containing a listing of its recommendations to the council on all such matters considered. The report shall be signed by the committee chair or vice-chair or, in their absence, by an attending member of the committee. All of the committee reports submitted shall be designated in total as the official council committee report. A member wishing to indicate disapproval of the majority action on a specific matter shall sign his or her name opposite that item in a column provided for that purpose. Should a majority of the members of a standing committee sign against a council file on their committee report, the matter shall be returned to committee without appearing before the council. When any matter which appears on the official council committee report is not present to receive action by the council, the clerk shall explain its absence to the members. Whenever a committee shall recommend indefinite postponement for more than one matter, such matters need not be reported on separately for final action by the council.

**Section 6. Minority Report.** If all the members of any committee required or entitled to report on any subject referred to them cannot agree upon a report, the majority and minority of the committee may each make a separate report. Any member dissenting in whole or in part from the reasons or conclusions of either report may also present to the council a statement of his or her reasoning and conclusion. All reports, unless otherwise ordered, shall be entered at length in the journal.

**Section 7. Matters Placed on File.** A matter placed on file can, by motion adopted by majority vote at a regular or special meeting of the council, be taken from file and will follow the same procedure as if it were being originally introduced. All matters on file at the end of each current term of office of the members of the common council shall be deemed to have been indefinitely postponed as of the date that the matter was placed on file.

**Section 8. Bonding of City Officers.** All bonds of city officers or city employees requiring approval by the common council shall be referred to and reported upon by the committee on judiciary and legislation and

the city attorney as to their form and sufficiency. A majority of the members of the council at the time of the vote shall be necessary for an approval.

**Section 9. State Legislative Proposals.** A recommendation of the committee on judiciary and legislation regarding the stand to be taken on a bill pending in the state legislature, when approved by the common council, as referred by the committee or as amended by the council, shall become the official position of the city and shall not be changed except by action of the council at a regular or special meeting. If a bill comes up for a hearing before the legislature or one of its committees before the common council can act on its committee recommendation, the stand of the committee on judiciary and legislation shall represent the official position of the city.

**Section 10. Referrals. 1.** The common council president shall refer new matters to the appropriate standing committees or may order them on file if no further council action is required. The assignment of matters to appropriate committees may be delegated to the city clerk, subject to the president's approval.

**2.** When a matter falls within the assignments of more than one standing committee, the president, or the city clerk if so designated, may direct that the matter be referred directly from one committee to another after the first committee has made a recommendation or has voted to refer the file without recommendation. The matter shall be first referred to the appropriate standing committee which meets earliest in the council meeting cycle. Any standing committee may also elect to refer a matter before it to another standing committee. The last committee holding a hearing on the matter shall report its recommendation to the council.

**3.** Questions of jurisdiction shall be decided by the common council president.

## **ARTICLE VI SPECIAL PROCEDURES**

**Section 1. Appointments.** All appointments or reappointments requiring confirmation by the council shall be introduced and referred to an appropriate committee unless otherwise directed by state law or city ordinance. If immediate action is desired on an appointment at the meeting in which it is received, this rule may be suspended by a 3/4 vote of the members of the council at the time of the vote and the appointment confirmed on the date of its submission to the council.

**Section 2. Petitions and Other Papers.** Petitions, memorials, remonstrances and other papers shall be addressed to the council and shall be accompanied by a brief statement of their contents, together with the name of the member who introduces them.

**Section 3. Condemnation Proceedings.** All resolutions declaring the necessity to institute land condemnation or vacation proceedings shall be referred to the appropriate committee. The member of the common council in whose district the land proposed to be taken or vacated is situated shall be notified of such proceeding.

**Section 4. Licenses.** A majority vote of the common council members present shall authorize the issuance, denial, renewal, nonrenewal, suspension or revocation of an alcohol beverage-related license, but a 3/4 vote of those members present shall be required to adopt any amendment which would reverse any recommendation of the utilities and licenses committee to whether such a license shall be issued, denied, renewed, nonrenewed, suspended or revoked where at least 4 members of the committee voted in favor of the recommendation.

**Section 5. Reintroduction.** Whenever any measure has been introduced for the consideration of the council and failed of adoption or passage, such measure, unless substantially changed, shall not be introduced again until at least 3 months from the date of the council meeting at which it failed of adoption or passage. This section does not apply to files vetoed by the mayor.

**Section 6. Reconsideration.** 1. When a question has been determined in the affirmative or negative, any member of the majority or, if the council was evenly divided, any member who voted in the negative may move to reconsider. This motion can take the simple form of "I move to reconsider" or the longer form "I move to reconsider and have entered in the journal". Either form of the motion can be made while another member has the floor but cannot be acted upon until there is no question before the council.

2. In its simple form, the motion calls for a reconsideration immediately, or at least at the same meeting of the council. The motion to reconsider requires only a majority vote regardless of the vote necessary to adopt the measure that is being reconsidered.

3. The motion to reconsider and have entered in the journal requires the concurrence of 1/5 of the members present. It outranks the simple form of the motion to reconsider and may be made even after the vote has been taken on the motion to reconsider, provided the result of the vote has not been announced. If made after the simple form of the motion to reconsider, it supersedes the latter which is thereafter ignored. The motion to reconsider and have entered in the journal cannot be called up until the next meeting, at which time any member may call it up. If the next meeting is a special meeting, the vote shall not be reconsidered unless as many members are present as were present at the time the vote was taken.

4. A motion to reconsider having been put and lost shall not be renewed.

**Section 7. Overriding Veto.** A measure which has been vetoed and returned to the council shall be read by the clerk along with the mayor's message, after which it shall be presented by the chair as follows: "Shall the foregoing measure be adopted notwithstanding the objection of the mayor? If you wish to override the veto you vote 'Aye'; if you wish to sustain the veto you vote 'No'."

**Section 8. Suspension of Rules.** No rules may be suspended, rescinded or amended without the concurrence of 2/3 of the members of the council at the time of the vote.

**Section 9. Parliamentary Authority.** Robert's Rules of Order shall govern the proceedings of the council in all cases to which they are applicable, and in which they are not inconsistent with these rules, the city code, the city charter or the laws of the state of Wisconsin.

**Section 10. City Agency Reports.** Any city agency which is required to submit a report to the common council or a committee of the common council shall submit the report to the city clerk. The city clerk shall publish notice of receipt of the report in the journal of proceedings. The city clerk shall also weekly provide a list of the agency reports received to the council members. Members may obtain copies of the reports by checking those reports on the list that they wish to receive and returning the list to the city clerk. The council president or the chair of any standing committee may direct the city clerk to distribute copies of any of the reports to all members, specified committees or other persons.

**Section 11. Assignment of Council Member Offices and Other Spaces.** Effective with the organization of the Common Council following the 2000 election, the following policy is established for assigning Common Council member offices in the City Clerk's Office, Common Council member parking spaces, seats on the Council floor and space for legislative assistants:

1. Assignment of Offices Following the Common Council Organizational Meeting:
  - a. The Common Council President and committee chairs shall be assigned the following offices in the City Clerk's Office (current room numbers):
    - a-1. Common Council President - Room 8.
    - a-2. Chair of the Finance and Personnel Committee - Room 13.
    - a-3. Chairs of the remaining standing committees of the Common Council shall be assigned rooms of their preference by the Common Council President, on the basis of seniority, that is, the length of service in the office of Common Council member. In the event of a tie, preference shall be given on the basis of lot.
  - b. All other Common Council members shall be assigned rooms of their preference by the Common Council president, on the basis of seniority. In event there is a tie, preference shall be given on the basis of lot.
2. Assignment of Offices Following Appointment of New Chairs in Midterm: A Common Council member who is newly appointed as a chair of a standing committee shall be assigned an office of his or her preference by the Common Council President, from among those offices occupied by non-chair members, and the 2 members will simply exchange offices with no other members involved.
3. Assignment of Offices Following Occurrence of a Vacant Office: If a Common Council member office becomes vacant, the Common Council President shall assign the office on the basis of the guidelines listed under assignment of offices following the Common Council organizational meeting, if any member expresses a preference for the office.



4. Assignment of Common Council Member Parking Spaces, Seats on the Council Floor and Space for Legislative Assistants: Parking spaces for Common Council members, seats on the Council floor and office space for legislative assistants shall be assigned following the same priority established for assignment of Common Council member offices, except that office space shall be reserved in the general legislative assistants work area for the legislative assistants assigned to Council members in the 4 smallest offices.

**ARTICLE VII  
CAMPAIGNS AND ELECTIONS**

**Section 1. Definitions.**

- a. "Campaign finance report" means a report as defined in s. 11.12, Wis. Stats., as amended.
- b. "Financial documentation" means a statement or report from a bank or credit union.

**Section 2. Financial Documentation.** All common council members shall provide financial documentation with a copy of their campaign finance reports each year to the city clerk no earlier than January 1 and no later than January 31; and no earlier than July 1 and no later than July 20. In the event that any report is required to be filed under this section on a nonbusiness day, it may be filed on the next business day thereafter.

## APPENDIX

### COMMON COUNCIL VOTING REQUIREMENTS

(as of April 20, 2004)

#### BASED ON A 15-MEMBER COUNCIL (NO VACANCIES)

**ALCOHOL BEVERAGE LICENSES** - (12 votes if all members are present) "3/4 vote of those members present shall be required to adopt any amendment which would reverse any recommendation of the utilities and licenses committee as to whether [any alcohol beverage-related] license shall be issued, denied, renewed, nonrenewed, suspended or revoked where at least 4 members of the committee voted in favor of the recommendation." (Art. VI, Sec. 4, Council Rules).

**AMENDMENT OF RULES** - (10 votes) "concurrence of 2/3 of the members of the council at the time of the vote" (Art. VI, Sec. 8, Council Rules).

**APPROPRIATIONS** - (8 votes) "majority of the members of the common council at the time of the vote" (s. 4-06-1, City Charter).

**BONDS, ISSUANCE (OTHER THAN AS PROVIDED IN THE BUDGET)** - (12 votes) "3/4 vote of all the aldermen" (s. 65.06(9), Wis. Stats. ALSO SEE s. 18-06-9, City Charter).

**BRIDGES, CHANGE IN CONSTRUCTION FIRM** - (10 votes) 2/3 vote "of the members of the common council at the time of the vote" to choose a different firm from that recommended by the commissioner of public works (s. 13-07-2, City Charter).

**BONDING OF CITY OFFICER** - (8 votes) "a majority of the members of the council at the time of the vote". (Art. V, Sec. 8, Council Rules).

**BRIDGES, CONSTRUCTION** - (10 votes) 2/3 vote "of the members of the common council at the time of the vote" (s. 13-06, City Charter).

**BUDGET ADOPTION** - (8 votes) "majority vote of all the aldermen" (s. 65.05(4), Wis. Stats. ALSO SEE s. 18-05-4, City Charter)

**BUDGET AMENDMENTS** - (8 votes) "by vote of the majority of all the aldermen" (s. 65.05(1) and (7), Wis. Stats. ALSO SEE s. 18-05-1 and 7, City Charter)

**CERTIFICATE OF APPROPRIATENESS, APPEAL OF DENIAL** - (10 votes) Upon appeal of an applicant to the common council, the council may, "... by vote of 2/3 of its members, reverse or modify the decision of the [historic preservation] commission ...." in not granting a certificate of appropriateness (s. 308-81-9-f, Milwaukee Code).

**CHARTER ORDINANCES** - (10 votes) "2/3 vote of the members-elect of the legislative body" (s. 66.0101(2)(a), Wis. Stats.). On July 17, 1986, the City Attorney issued an opinion that the term "members-elect" refers to the total membership of the body, regardless of any vacancies.

**CONFIRMATION/ELECTIONS** - (8 votes) "concurrence of a majority of the members of the common council at the time of the vote" (s. 4-05-5, City Charter).

**CONFIRMATIONS, IMMEDIATE ACTION** - (12 votes) "3/4 vote of the members of the council at the time of the vote" to suspend the rules to act on confirmation at the same meeting the appointment is received (Art. VI, Sec. 1, Council Rules).

**CONTINGENT FUND APPROPRIATIONS** - (12 votes) "3/4 vote of all the aldermen" (s. 65.06(6)(a), Wis. Stats. ALSO see s. 18-06-6, City Charter).

**DEBT AMORTIZATION FUND** - (10 votes) adding new revenue sources requires "a 2/3 vote" of the common council (s. 67.101(1)(c), Wis. Stats.).

**DEFERMENT OF ACTION ON COUNCIL FILES** - (3 votes if all members are present) "by request of 1/5 of the aldermen present" (s. 4-21, City Charter.) A succeeding request for deferment requires "a majority of the members present" (Art. IV, Sec. 5, Council Rules).

**DETACH CITY TERRITORY** - (12 votes) "vote of 3/4 of all the members of the governing body" (s. 66.0227(2), Wis. Stats.).

**ENVIRONMENTAL REMEDIATION** – (12 votes) "3/4 vote of the common council shall be required for adoption of any resolution authorizing remediation of an environmentally contaminated property using funds from the environmental testing and remediation subfund" (s. 304-28-5.5, Milwaukee Code).

**GRANT OF LAND** - (10 votes) "2/3 vote of its members elect" to grant land back to private donors (s. 66.1025(1), Wis. Stats.). On July 17, 1986, the City Attorney issued an opinion that the term "members-elect" refers to the total membership of the body, regardless of any vacancies.

**INTERIM HISTORIC PRESERVATION DESIGNATION, APPEAL OF DENIAL** - (8 votes) - "the common council may reverse or affirm the [historic preservation] commissioner's decision or interim designation" (s. 308-81-10.5-f, Milwaukee Code).

**MOTHBALLING CERTIFICATE, APPEAL OF DENIAL** -(10 votes) Upon appeal of an applicant to the common council, the "... council may, by vote of 2/3 of its members reverse or modify the decision of the [historic preservation] commission ...." in not granting a mothballing certificate (s. 308-81-12-f-0, Milwaukee Code).

**ORDINANCES** - (8 votes) "majority of the members of the common council at the time of the vote" (s. 4-06-1, City Charter).

**PARKING** - (10 votes) "2/3 vote of the governing body" to pass overnight parking restrictions without posting signs in each block (s. 349.13(1), Wis. Stats.).

**PUBLIC IMPROVEMENTS-KLINE LAW LAND TAKING** - (12 votes) "3/4 vote of the entire membership of the common council" (s. 32.53, Wis. Stats.).

**PUBLIC IMPROVEMENTS WITHOUT PETITION** - (12 votes) "3/4 of the members of the common council at the time of the vote" to approve project not requested by residents (s. 11-08-2-b, City Charter).

**PUBLIC WORKS, WITHOUT CONTRACTS** - (12 votes) "3/4 of the members of the common council at the time of the vote" (s. 7-23-1, City Charter).

**QUORUM** - (8 votes) "majority of the members at the time of any meeting" (s. 4-05-2, City Charter).

**RECONSIDERATION** - 1) move to reconsider - simple form - (8 votes if all members are present) "majority vote" (Art. VI, Sec. 6-2, Council Rules).

2) move to reconsider and enter in the journal - (3 votes if all members are present) "1/5 of the members present" (Art. VI, Sec. 6-3, Council Rules).

3) reconsider at a special meeting - "No vote of the common council shall be reconsidered or rescinded at a special meeting, unless at such special meeting there be present as large a number of aldermen as were present when such vote was taken." (s. 4-09, City Charter, derived from Chapter 184, Laws of 1874. ALSO see Art. VI, Sec. 6-3, Council Rules)

**REDEVELOPMENT AUTHORITY** - (12 votes) mayoral appointments to the authority require a vote of "4/5 of the local legislative body" (s. 66.1333(3)(a)3, Wis. Stats.).

**REDEVELOPMENT AUTHORITY, ACQUISITION OF PROPERTY WITHOUT A REDEVELOPMENT PLAN** - (8 votes) "may not acquire property ... without the approval of the local legislative body of the city in which the authority is located" (s. 66.1333(5)(c)1, Wis. Stats.).

**REDEVELOPMENT AUTHORITY, SALE OF LAND TO THE HOUSING AUTHORITY** - (12 votes)-no lands may be either sold or leased to a housing authority "unless the sale or lease of the lands has been first approved by the local legislative body by a vote of not less than four fifths of the members elected." (s.66.1333(9)(a)1.a., Wis. Stats.).

**REDEVELOPMENT PLAN, AMENDMENT, PLAN BOUNDARIES** (10 votes) - "amendment shall be submitted to the local legislative body for its approval by 2/3 vote" (s. 66.1333(6)(d), Wis. Stats.).

**REDEVELOPMENT PLAN, APPROVAL OF** - (10 votes) vote of "2/3 of the local legislative body" (s. 66.1333(6)(b)2, Wis. Stats.).

**REDEVELOPMENT PLAN, MODIFICATION, ADDITIONAL LAND USES** - (10 votes) "2/3 vote of the members elect" (s. 66.1333(11)(b), Wis. Stats.). On July 17, 1986, the City Attorney issued an opinion that the term "members-elect" refers to the total membership of the body, regardless of any vacancies.

**REDEVELOPMENT PLAN, NEW CONSTRUCTION BAN** - (10 votes) "by 2/3 vote" of the local legislative body (s. 66.1333(6)(b)1, Wis. Stats.).

**REDISTRICTING, CHANGING THE NUMBER OF DISTRICTS** - (10 votes) "2/3 vote of all its members" (s. 62.08(4), Wis. Stats. ALSO see s. 1-03, City Charter).

**REMISSION OF PENALTY OR JUDGMENT** - (10 votes) "2/3 of the members of the common council at the time of the vote" (s. 4-31, City Charter).

**REMOVAL OF CITY OFFICERS FROM OFFICE** - (12 votes) "vote of 3/4 of all the members thereof" (s. 17.12(1)(d), Wis. Stats.).

**RESOLUTION ADOPTED ON DAY OF INTRODUCTION** - (10 votes) "2/3 vote of the members of the council at the time of the vote" (Art. IV, Sec. 4, Council Rules).

**RESOLUTIONS** - (8 votes) "majority of the members of the common council at the time of the vote" (s. 4-06-1, City Charter).

**STREET GRADE CHANGE** - (10 votes) "2/3 of the members of the common council at the time of the vote" (s. 4-06-2, City Charter).

**SUSPENSION OF RULES** - (10 votes) "concurrence of 2/3 of the members of the council at the time of the vote" (Art. VI, Sec. 8, Council Rules).

**TAKE FROM FILE** - (8 votes if all members are present) "majority vote" required (Art. V, Sec. 7, Council Rules).

**TAX RATE LEVY, ANNUAL BUDGET-GENERAL CITY PURPOSES** - (10 votes) affirmative vote of "2/3 of all members elected to the common council" (s. 65.07(1)(a), Wis. Stats.).

**TAX STABILIZATION FUND WITHDRAWAL** - (12 votes) "at least a 3/4 vote of the members of the common council at the time of the vote" (s. 304-29-4-c-2, Milwaukee Code).

**VETO OVERRIDE** - (10 votes) "2/3 of the members at the time of the vote, or (12 votes) 3/4 of the members at the time of the vote if such majority was necessary as specified by law originally to pass the measure" (s. 4-23, City Charter).

**WATER WORKS, SURPLUS REVENUES** - (12 votes) "3/4 vote of all the aldermen of the common council (s. 65.06(8), Wis. Stats. ALSO see s. 18-06-8, City Charter).

**ZONING CHANGE** - (12 votes if all members are present) "vote of 3/4 of the members of the council voting on the proposed change" when the change is objected to in writing by 20% or more property owners (s. 295-307-5, Milwaukee Code. ALSO see s. 62.23(7)(d)2m.a., Wis. Stats.

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CCRULES  
BJZ:dm  
3/12/2004